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Attorneys for Defendants
TAMARAH HARBER-PICKENS, in her
official capacity as Court Executive Officer of
the Superior Court of California, County of
Kern; and HON. JUDITH K. DULCICH, in
her official capacity as Presiding Judge of the
Superior Court of California, County of Kern

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

**AMERICAN CIVIL LIBERTIES
UNION OF SOUTHERN
CALIFORNIA, et al.,**

Plaintiffs,

v.

TAMARAH HARBER-PICKENS, et al.,

Defendants.

Case No. 1:20-cv-00889-DAD-JLT

**Assigned for all purposes to
Hon. Dale A. Drozd**

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE MANDATORY
SCHEDULING CONFERENCE AND
EXTEND DEFENDANTS' RESPONSIVE
PLEADING DEADLINE**

(Doc. 24)

1 Defendants Tamarah Harber-Pickens, in her official capacity as Court Executive Officer
2 of the Superior Court of California, County of Kern, and Hon. Judith K. Dulcich, in her official
3 capacity as Presiding Judge of the Superior Court of California, County of Kern (collectively
4 “KCSC”), and Plaintiffs American Civil Liberties Union of Southern California Kilah Oats,
5 Lotisha Davidson, Tanisha Brown, Tameca Spriggs, and Janie Randle hereby stipulate to 1)
6 continue the Mandatory Scheduling Conference in this matter, currently set for September 22,
7 2020, to October 20, 2020, or as soon thereafter as the Court may be available; and 2) extend all
8 Defendants’ deadline to file a responsive pleading in this matter until October 20, 2020.

9 1. On June 26, 2020, the Court set the Mandatory Scheduling Conference in this
10 matter for September 22, 2020, at 8:30 a.m. (Dkt. No. 3.)

11 2. On July 14, 2020, counsel for KCSC executed and Plaintiffs filed a Waiver of the
12 Service of Summons, which set KCSC’s deadline to file a responsive pleading in this matter at 60
13 days from July 14, 2020 – or September 14, 2020. (Dkt. No. 19.)

14 3. KCSC has been working diligently to install live audio streaming services in all
15 active courtrooms in the Superior Court of California, County of Kern so that it can balance the
16 need to maintain physical distancing in light of the COVID-19 pandemic with the public right of
17 access to court proceedings.

18 4. KCSC has informed Plaintiffs that all live audio streaming equipment has been
19 installed; is currently being tested; and soon will go live.

20 5. Once live audio streaming becomes available, the parties believe their time and
21 efforts are best served by working to resolve this matter amicably, rather than preparing for
22 litigation and trial. The parties further believe this proposed continuance and extension will give
23 them sufficient time in which to do so.

24 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the
25 Court’s approval, as follows:

26 1. The Mandatory Scheduling Conference in this matter shall be continued to
27 October 20, 2020, at 8:30 a.m., or as soon thereafter as the Court may be available;

28 2. The parties’ respective Rule 26 obligations shall likewise be continued; and

3. The deadline to file a responsive pleading in this matter by all named Defendants shall be extended to October 20, 2020.

IT IS SO STIPULATED.

Dated: September 4, 2020

JONES DAY

/s/ Robert A. Naeve

Robert A. Naeve
Cary D. Sullivan
Nathaniel P. Garrett

Attorneys for Defendants
TAMARAH HARBER-PICKENS, in her
official capacity as Court Executive Officer
of the Superior Court of California, County
of Kern; and HON. JUDITH K. DULCICH,
in her official capacity as Presiding Judge of
the Superior Court of California, County of
Kern

Dated: September 4, 2020

ACLU FOUNDATION OF NORTHERN
CALIFORNIA

/s/ Kathleen Guneratne (as authorized on
9/4/2020)

Kathleen Guneratne
Amy Gilbert

Attorneys for Plaintiffs
ACLU OF SOUTHERN CALIFORNIA,
KILAH OATS, LOTISHA DAVIDSON,
TANISHA BROWN, TAMECA
SPRIGGS, and JANIE RANDLE

Dated: September 4, 2020

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF SOUTHERN
CALIFORNIA

/s/ Peter Eliasberg (as authorized on
9/4/2020)

Peter Eliasberg
Jordan Wells

Attorneys for Plaintiffs
ACLU OF SOUTHERN CALIFORNIA,
KILAH OATS, LOTISHA DAVIDSON,
TANISHA BROWN, TAMECA
SPRIGGS, and JANIE RANDLE

1
2 Dated: September 4, 2020

FIRST AMENDMENT COALITION

3 /s/ David Edward Snyder (as authorized on
4 9/4/2020)

David Edward Snyder

5 Attorneys for Plaintiff
6 FIRST AMENDMENT COALITION

7 Dated: September 4, 2020

OFFICE OF KERN COUNTY COUNSEL

8 /s/ Marshall Scott Fontes (as authorized on
9 9/4/2020)

Marshall Scott Fontes
Andrew C. Thomson

10 Attorneys for Defendant
11 DONNY YOUNGBLOOD, Sheriff of Kern
12 County, in his official capacity
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PROPOSED ORDER

Based upon the parties' Stipulation to Continue the Mandatory Scheduling Conference and Extend Defendants' Responsive Pleading Deadline, and for good cause shown, **IT IS HEREBY ORDERED THAT:**

1. The Mandatory Scheduling Conference in this matter shall be continued to October 20, 2020, at 8:30 a.m.;
2. The parties' respective Rule 26 obligations shall likewise be continued; and
3. The deadline to file a responsive pleading in this matter for all named Defendants shall be extended to October 20, 2020.

IT IS SO ORDERED.

Dated: September 7, 2020


UNITED STATES MAGISTRATE JUDGE